MEMO ENDORSED

THE CITY OF NEW YORK
LAW DEPARTMENT

MICHAEL A. CARDOZO
Corporation Counsel

100 CHURCH STREET
NEW YORK, NY 1000

JEFFREY A. DOUGHERTY
Special Assistant Corporation Counsel
Room 3-126
Telephone: (212) 788-8342
Facsimile: (212) 788-9776
jdh@law.nyc.gov

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March 8, 2007

BY FACSIMILE

The Honorable James C. Francis IV
United States Magistrate Judge, Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1960
New York, New York 10007-1312

LEAD CASE
04 CIV 7922 (KMK)
(JCF
DOCKET IN BOTH
CASES

Re: *Abdell, et al. v. City of New York, et al.* 05 CV 8453 (KMK)(JCF)
     Adams, et al. v. City of New York, et al. 05-CV-9484 (KMK)(JCF)

Dear Judge Francis:

Defendants write to request an extension of time in which they have to respond to plaintiffs' motion to compel discovery in the Abdell case. On February 23, 2007 the parties made a joint request for an alteration to the briefing schedule of that motion. Based on Your Honor's endorsement of that request defendants' opposition is due on March 9, 2007. Defendants now request an additional three weeks to respond to plaintiff's motion.

First, defendants are still investigating whether certain categories of documents sought in plaintiffs' motion to compel even exist. Second, because defendants have not yet received all of the documents plaintiffs seek (if they exist) and have not reviewed their content, defendants are currently unable to determine the appropriateness of objections for relevance, privilege, etc. Third, defendants have been engaged in preparing the a document production of arrest documents for all 1800 RNC arrestees to all RNC plaintiffs pursuant to the Court's prior order. This production is being sent out tomorrow as stated at the last status conference. Plaintiff has only agreed to an extension up to 5:00 p.m. on March 14, 2007.

For all of the foregoing reasons, defendants request they be permitted to submit their opposition papers on or before Friday, March 30, 2007. Thank you.

3/9/07
Extension to March 14, 2007 only. SO ORDERED.
James C. Francis IV

Very truly yours,

Jeffrey A. Dougherty
Jeffrey A. Dougherty

cc: Michael L. Spiegel, Esq. (by Facsimile)